

**REMARKS**

Claims 1-17 are pending in this application. By this Amendment, claims 1 and 3 are amended for clarity.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the Amendment: (a) places the application in condition for allowance for the reasons set forth below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for an appeal should an appeal be necessary. More specifically, the amendments merely clarify previously claimed subject matter. The current amendment to claim 1 specifically recites updating the reference voice model. The Advisory Action indicated that the April 21 Amendment After Final Rejection was not entered since the claim scope changed based on the amendment. This exact language was previously recited in independent claim 7. That is, applicant specifically has amended claim 1 to change “modifying” to “updating” based on comments in the Advisory Action. This amendment is to have the amendment entered and the arguments considered. The amendment to claim 3 generally corresponds to features recited in dependent claim 7 (and similarly claim 6). No further search and/or consideration is necessary by the Examiner since the amended features correspond with previously claimed subject matter. Entry is proper under 35 C.F.R. §1.116.

Applicant gratefully acknowledges the courtesies extended by Examiner Opsasnick during the March 16 personal interview with applicant’s representatives, Mr. Weon and Mr. Oren. The substance of the interview is incorporated in the following remarks.

The Office Action rejects claims 1-17 under 35 U.S.C. §102(b) by U.S. Patent 5,452,397 to Ittycheriah et al. (hereafter Ittycheriah). The rejection is respectfully traversed.

As discussed during the personal interview, independent claim 1 recites comparing the similarity of the retrieved word with the similarity reference value...to report a voice recognition success and perform the command corresponding to the recognized word when the compared result is at least the reference value. Independent claim 1 further recites updating the reference voice model based on the characteristics of the voice data which succeeded in the voice recognition.

Ittycheriah does not teach or suggest all these features of independent claim 1. That is, Ittycheriah relates to an updated process (Figure 3) that may be performed after an enroll process (Figure 2). See col. 4, lines 52-55 and col. 5, lines 52-53. In discussing the claim 1 limitations regarding modifying characteristics upon a successful detection, the Office Action references Ittycheriah's col. 6, lines 1-26. However, this section relates specifically to adding a new phrase if the difference between a false match score and a correct match is below a predetermined threshold. Thus, the newly added word is not substantially similar to a word already in a vocabulary list and thus is not a successful recognition. In other words, the alternative embodiment discussed in col. 6 may add a phrase that does not have any similarity with a previously stored reference value.

As discussed during the personal interview, Ittycheriah does not teach or suggest updating a reference voice model based upon a successful detection. Ittycheriah also does not teach or suggest performing a command corresponding to the recognized word when the

compared result is at least a reference value. As such, Ittycheriah does not teach or suggest all the features of independent claim 1.

Ittycheriah also does not teach or suggest all the features of independent claim 3 and 7. That is, Ittycheriah does not teach or suggest updating the reference voice model using the voice data received from the user upon a judged success of the voice detection, as recited in independent claim 3. Further, Ittycheriah does not teach or suggest updating the reference voice model using the voice data from the user, upon a positive correspondence of the reference voice model and the voice data from the user.

For at least the reasons set forth above, each of independent claims 1, 3 and 7 define patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason.

In addition, the dependent claims also recite features that further and independently distinguish over the applied reference. For example, as discussed during the personal interview, dependent claim 6 recites performing an operation associated with the reference voice model upon success of the voice detection. As discussed in the interview, Ittycheriah does not teach or suggest performing an operation associated with the reference voice model upon success of the voice detection. Thus, dependent claim 6 defines patentable subject matter for at least this additional reason. Further, dependent claim 10 recites that updating the reference voice model comprises generating vectors representing the voice data from the user and combining the vectors representing the voice data from the user with the vectors of the voice model, thereby updating the voice model. Ittycheriah does not teach or suggest these features of dependent

claim 10. Thus, dependent claim 10 defines patentable subject matter for at least this additional reason.

Furthermore, dependent claim 14 recites indicating the positive correspondence of the reference voice model and the voice data from the user, and performing an operation associated with the reference voice model. As discussed during the personal interview, Ittycheriah does not teach or suggest these features of dependent claim 14. Thus, dependent claim 14 defines patentable subject matter for at least this additional reason.

For at least the reasons set forth above, each of claims 1-17 defines patentable subject matter. Withdrawal of the outstanding rejection is respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-17 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

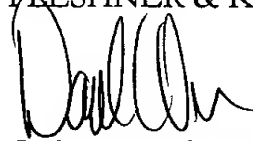
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

Serial No. 09/729,768  
Reply to Office Action dated January 23, 2004

Docket No. HI-029

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and  
please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP



Carl R. Wesolowski  
Registration No. 40,372  
David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 766-3701 CRW:DCO/cre/kah

**Date: May 7, 2004**

**Please direct all correspondence to Customer Number 34610**